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**SUBSTITUTE HOUSE BILL 1716**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** House Committee on Natural Resources (originally sponsored by Representatives G. Chandler, Doumit, Mastin, Mulliken and Grant)

Read first time 03/02/1999.

1 AN ACT Relating to warm water fish culture; amending RCW 77.44.050  
2 and 77.32.440; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 77.44.050 and 1996 c 222 s 5 are each amended to read  
5 as follows:

6 The warm water game fish account is hereby created in the state  
7 wildlife fund. Moneys in the account are subject to legislative  
8 appropriation and shall be used for the purpose of funding the warm  
9 water game fish enhancement program, including the development of warm  
10 water pond and lake habitat, culture of warm water game fish,  
11 improvement of warm water fish habitat, management of warm water fish  
12 populations, and other practical activities that will improve the  
13 fishing for warm water fish. Funds ~~((from the))~~ for warm water game  
14 fish ~~((surcharge))~~ as provided in RCW 77.32.440 shall not serve as  
15 replacement funding for department-operated warm water fish projects  
16 existing on December 31, 1994~~((—Funds from the warm water game fish~~  
17 ~~account shall not be used for the operation or construction of the warm~~  
18 ~~water fish culture project at Ringold unless specifically authorized by~~  
19 ~~legislation.~~

1 ~~Funds from the sale of the warm water game fish surcharges shall be~~  
2 ~~deposited in the warm water game fish account)), except that an amount~~  
3 ~~not to exceed ninety-one thousand dollars may be used for warm water~~  
4 ~~fish culture at the Rod Meseberg warm water fish production facility~~  
5 ~~during the biennium ending June 30, 2001.~~

6 **Sec. 2.** RCW 77.32.440 and 1998 c 191 s 13 are each amended to read  
7 as follows:

8 (1) The commission shall adopt rules to continue funding current  
9 enhancement programs at levels equal to the participation of licensees  
10 in each of the individual enhancement programs. All enhancement  
11 funding will continue to be deposited directly into the individual  
12 accounts created for each enhancement.

13 (2) In implementing subsection (1) of this section with regard to  
14 warm water game fish, the department shall ~~((initially))~~ deposit in the  
15 warm water game fish account ~~((6.512 percent of the funds received from~~  
16 ~~the sale of each freshwater license and each freshwater, saltwater, and~~  
17 ~~shellfish combination license. The percentage initially))~~ the sum of  
18 one million two hundred fifty thousand dollars each fiscal year during  
19 the fiscal years 1999 and 2000, based on two hundred fifty thousand  
20 warm water anglers. Beginning in fiscal year 2001, and each year  
21 thereafter, the deposit to the warm water game fish account established  
22 in this subsection shall be adjusted annually to reflect the actual  
23 numbers of license holders fishing for warm water game fish based on an  
24 annual survey of licensed anglers from the previous year conducted by  
25 the department beginning with the April 1, ((2000)) 1999, to March 31,  
26 ((2001)) 2000, license year survey. ((The legislature expects that  
27 implementing this subsection will result in annual deposits of at least  
28 one million two hundred fifty thousand dollars into the warm water game  
29 fish account.))

30 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
31 preservation of the public peace, health, or safety, or support of the  
32 state government and its existing public institutions, and takes effect  
33 immediately.

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